

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL RODNEY REIGER,

Defendant.

Case No. 2:14-cr-0380-APG-NJK

**ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION ON MOTION TO
SUPPRESS**

On April 3, 2015, defendant Michael Reiger filed a motion to suppress all physical evidence seized during the inventory search of his pickup truck. (Dkt. #11.) On May 14, 2015, Magistrate Judge Koppe entered her Report and Recommendation recommending that the motion to suppress be denied. (Dkt. #18.) Pursuant to Local Rule IB 3-2, any objection to the Report and Recommendation had to be filed in writing within 14 days. To date, no objection has been filed. I am not required to conduct "any review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (Based on *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any issue that is not the subject of an objection."). Because there is no objection to the magistrate judge's recommendation, I may accept the recommendation without review.

Nevertheless, I have conducted a *de novo* review of the motion to suppress and related papers and I accept Magistrate Judge Koppe's Report and Recommendation. The Report and Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. I also agree with the Government's position (adopted by Magistrate Judge Koppe) that no evidentiary

1 hearing was required because the parties' papers did not raise any disputed factual issues regarding
2 the lawfulness of the search. (Dkt. #14 at 4:9-10. *See also*, Case No. 2:14-cr-249, Dkt. #515 at 6-8,
3 #519.) Good cause appearing,

4 **IT IS HEREBY ORDERED** that Magistrate Judge Koppe's Report and Recommendation
5 is accepted and approved.

6 Dated: June 3, 2015.

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9 ANDREW P. GORDON
10 UNITED STATES DISTRICT JUDGE
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